

**REPORT - PLANNING COMMISSION MEETING**  
**January 27, 2005**

**Project Name and Number:** Irvington Village Tract 7571 (PLN2005-00039)

**Applicant:** Regis Homes

**Proposal:** To consider Vesting Tentative Tract Map 7571 and a Private Street for a 75-lot (215 dwelling units) subdivision.

**Recommended Action:** Approve based on findings and subject to conditions

**Location:** 40800 Grimmer Boulevard in the Irvington Planning Area

**Assessor Parcel Number(s):** 525-1054-001-04, 525-1054-001-07, 525-1054-001-06 (portion)

**Area:** 8.6 acres (+.22 acre acquired EVA)

**Owner:** Samuel N. Harrosh

**Agent of Applicant:** Jeff Smith, Regis Homes

**Consultant(s):** HMM Engineers (Engineers)

**Environmental Review:** A Mitigated Negative Declaration was previously prepared and adopted for the General Plan Amendment and Rezoning of the site, which included the anticipated development of this site.

**Existing General Plan:** Residential High Density (23-27 dwelling units per acre); Community Commercial

**Existing Zoning:** P-2004-307(I) and P-2004-308, Planned District and Planned District (Irvington Overlay)

**Existing Land Use:** Existing Patio World retail establishment and a portion of the Tri-City Sporting Goods site.

**Public Hearing Notice:** A total of 294 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Grimmer Boulevard, Davis Street, Bay Street, Chapel Way, Eugene Street, and Ladner Street. The notices to owners and occupants were mailed on January 14, 2005. A Public Hearing Notice was delivered to The Argus on January 10, 2005 to be published by January 13, 2005.

**Background and Previous Actions:** The property owners of Tri-City Sports and Patio World approached the City staff regarding potential residential development at the Patio World site. As part of staff's implementation of the Housing Element, staff determined that redesignating the properties would implement Program 21 (Commercial and Industrial Redesignation), Program 22 (Redesignation and Rezoning of Older Shopping Center Sites) and Program 23 (Rezoning Sites to Mixed-Use to Accommodate Affordable Housing Developments). Program 21 identified a portion of the Tri-City site as a housing development opportunity site. Program 23 identified the Patio World site as a mixed-use development opportunity site. The Housing Element did not initially identify the entire Tri-City Sports site as an opportunity site, however, City staff and the property owners subsequently agreed to include the redesignation of the Tri-City Sports site for potential future residential development, with the redesignation additive in nature such that commercial uses may continue as legally conforming uses. The redesignation and rezoning was considered consistent with Programs 21, 22 and 23.

This site was the subject of a General Plan redesignation to include Residential High density development at 23-27 dwelling units per acre (du/ac) and was rezoned to Planned District (P-2004-92(I)) Irvington Overlay to include housing as a possible use as part of the Housing Element implementation effort. The Planning Commission recommended approval of this action to the City Council on November 20, 2003 and the City Council approved the redesignation and rezoning on December 9, 2003.

The Planning Commission recommended approval of the Planned District Major Amendment (rezoning) to reallocate density to 18 du/ac for the 6.56 acre site and to propose a Private Vehicle Access Way (PVAW) less than 32 feet in width, a Preliminary Grading Plan, Private Street, and Site Plan and Architectural Approval for 115 townhouses and condominium units to the City Council on October 28, 2004. The City Council approved these items on November 23, 2004. The 6.56 acre site is part of an 8.6 acre site. The remainder of the area was approved for a 100 unit apartment building at a density of 50 du/ac. Thus, cumulatively, the 8.6 acre site met the density range of 23-27 du/ac.

**Project Description:** The applicant is requesting approval for a Vesting Tentative Tract Map (7571) and a Private Street for the development of 115 townhouses and condominium units as well as 100 apartments and one retail condominium space. The proposed project is consistent with the previously approved Planned District zoning in that it accommodates the reallocated density, reduced street widths and overall Site Plan and Architectural approval granted by the City Council.

Regis Homes is proposing the development of 115 for-sale residential units. There will be 53 single-family attached townhomes and 62 condominium units. The condominiums will include 24 two-bedroom and 38 three-bedroom units. The 53 townhomes will all be three-bedroom units. A private vehicle access way (PVAW) network within the development will serve these units. There are a total of 230 covered and 50 uncovered parking spaces. Common open spaces surround each of the unit clusters, and an open space paseo runs north/south between the townhome unit clusters.

There is one main access into the development, along Grimmer Boulevard. In addition, there are two emergency vehicle access (EVA) points along Grimmer, one which extends along the southernmost private road. The EVA that connects to Irvington Avenue represents .22 acres and was acquired by the applicant to provide this emergency access.

## PROJECT ANALYSIS:

**General Plan Conformance:** Conformity with the General Plan and discussion of Zoning Regulations was discussed in detail in the staff report for the Planned District Major Amendment, Preliminary Grading Plan, Private Street and Site Plan and Architectural Approval and will be repeated here briefly. The existing General Plan land use designation for the project site is a combination of Community Commercial and Residential High Density of 23-27 dwellings per acre. This General Plan designation allows the property owner to continue the commercial use of the site, redevelop the site with other commercial uses, mixed use, or redevelop the site for housing at 23-27 dwelling units per acre.

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The applicant proposed a density of 18 dwelling units per acre for 6.56 acres of the 8.6 acre site, which was approved by the City Council on November 23, 2004. The application, for the purposes of meeting the required mid-point of the density range, was reviewed in conjunction with the application for Irvington Family Apartments. Irvington Family Apartments, a 100 unit apartment building approved on the remaining 2.05 acres of the site, has a proposed density of 49 dwelling units per acre. The two projects, with their combined density, will have 25 dwelling units per acre, thus achieving the required mid-point of the 23-27 dwellings per acre range for the entire 8.6 acre site.

The following General Plan Goals, Objectives, Policies and Implementation programs are applicable to the proposed project:

Fundamental Goal F8: *A Diversity of residential, recreational, cultural, employment and shopping opportunities.*

Policy LU 1.9: *To achieve a variety of housing types, the City has designated locations where moderate and higher density development is appropriate. Criteria for the location of higher density housing include access to transit, proximity to commercial areas, proximity to collector or arterial street, and a transition use where maximum flexibility in site design is required. For those areas where higher densities are indicated on the General Plan Diagram, construction of housing at significantly lower densities than planned would not meet the*

*City's goals. The City therefore established a minimum required density of development for all medium and high density residential uses as follows:*

- When the residential range is between 6.5 and 70 units per acre (ranges 8 – 15), and a development application has not been deemed completed for processing under the provisions of the Permit Streamlining Act by July 1, 2003, the minimum density of the project must be at the midpoint of the density range.*
- When calculation of the midpoint density results in a fraction of a unit equating to 0.50 or more, the minimum density shall be rounded up to the next whole number.*

Policy LU 1.12: *To the maximum extent feasible, play areas and open spaces shall be located to avoid conflict between residents attempting to reach these facilities and vehicular traffic.*

Policy LU 1.24: *Multi-family housing (with the exception of housing designed exclusively for seniors) shall be designed to accommodate the needs of families and children.*

Implementation 1: *Encourage multi-family housing developments to include a percentage of units with three or more bedrooms consistent with the Housing Element Implementation Program 27 (Family and Larger Sized Units).*

Implementation 2: *Incorporate appropriate amenities/play areas for children in multi-family housing developments.*

The proposed project is consistent with the existing General Plan land use designation for the project site because the proposed project, with the proposed density reallocation to the adjoining rental project, will be developed at the required mid-point density range for the site. The play area and common open space areas have been designed in centralized areas, away from vehicular traffic and accessible by groups of units without traversing vehicular traffic. The 115 units propose to include 91 three-bedroom units, or 79 percent of the project, to address the needs of families with larger sized units. The development includes both active and passive play areas for children in the centralized areas to address the needs of families.

The proposal is also consistent with the Housing Element adopted in 2003. The Patio World site and the Tri-City Sports sites were, to a certain extent, identified in the Housing Element as opportunity sites for housing. This application for 115 residential units implements the goal of providing housing at various densities.

**Redevelopment Plan Conformance:** The project site is located in the Irvington Redevelopment Project Area and meets the following goals of the Redevelopment Agency: (1) creation of residential opportunities for various segments of the community; and (2) elimination of adverse physical conditions within the Project Area. The proposed development is consistent with the Redevelopment Plan because it will create 115 new market-rate homes. Under the City's Inclusionary Housing Ordinance, the project proposes to meet its inclusionary housing obligation by providing 17 affordable housing units off-site (see below). The proposed development also meets the Agency goal of eliminating adverse physical conditions in the Project Area by transforming an aging and underutilized commercial property into residential units.

**Zoning Regulations:** The proposed subdivision and private streets conform to the approved Planned Districts: P-2004-307(I) and P-2004-308.

**Inclusionary Zoning:** Regis Homes intends to meet the requirements of the Inclusionary Housing Ordinance through the funding of construction of seventeen (17) off-site multifamily rental units. Under Fremont Code Section 8-22177 *Alternatives to On-Site Construction*, (b) *Off-site Construction*, a developer may elect, in lieu of building affordable units within a residential project, to "construct, or make possible construction by another developer of, units that are physically contiguous to the market-rate units if the city determines this will provide a greater public benefit, and the affordable housing units is equal or greater in number to the number of affordable units required by Section 8-22174." Because the 17 off-site rental units that Regis Homes proposed to fund for construction by another developer are for very-low and low-income families, this provides a greater level of affordability than on-site for-sale units for moderate income families. The Office of Housing and Redevelopment is satisfied that this off-site construction provides a greater public benefit. Nevertheless, the agreement with Regis Homes regarding these inclusionary units provides that if the off-site units are not

adequately funded for development within a set time frame, Regis Homes shall make 17 of its townhomes and/or condominiums available as below-market-rate inclusionary units.

## **ENGINEERING ANALYSIS:**

**Subdivision Analysis:** The applicant has proposed a vesting tentative map to create 74 lots and 1 designated remainder (the existing Tri-City Sporting Goods site). Lots 1 through 53 are single-family townhouse lots, lot 54 is a condominium lot that accommodates 1 unit for the apartment building and 1 unit for the retail use; lots 55 through 58 are condominium lots that accommodate a total of 62 units; and lots A through P are common ownership lots for vehicle access ways, landscaped areas, and pedestrian paths.

The subdivider has reserved the right to record multiple final maps based upon this tentative map. The tentative map includes a proposed phasing plan (sheet 2 of 2). The number and configuration of the phases is shown, however the actual number and configurations of phases is subject to change, upon approval of the Planning Director and City Engineer. Due to the potential phasing of final maps, specific conditions of approval are included regarding street and utility improvements required with each phase. In general, the creation of a lot for development of a residential use is contingent upon the construction of infrastructure to service that lot.

**Circulation/Access Analysis:** Pedestrian and vehicular access to the project site is from Grimmer Boulevard. Vehicles will access the site via the existing signalized intersection of Grimmer Boulevard and Davis Street. On-site vehicle circulation is provided by a private vehicle access way (PVAW), a type of private street used for condominium and townhouse projects. The configuration of streets and pedestrian pathways was reviewed and approved with the planned district amendment. The tentative map is consistent with the previous approvals.

**Street Improvements:** The subdivider is required to install street improvements on Grimmer Boulevard and dedicate private street right-of-way and install complete street improvements for the on-site private vehicle access ways. The Planned District Amendment included approval of the project site plan, including the layout of the private streets and pedestrian pathways.

**Grading/Topography:** The project site is currently developed as Tri-City Patio World retail building and associated parking lot. The existing building, parking lot, and related utilities will be demolished to accommodate the residential subdivision. The subdivision has been designed to keep the building pads close to the existing finished grades on-site. A Preliminary Grading Plan was approved by City Council on December 7, 2004, along with the Planned District adoption.

**Urban Runoff Clean Water Program:** The Federal Clean Water Act of 1972 and Water Quality Act (1987) requires localities throughout the nation to obtain a National Pollutant Discharge Elimination System permit (NPDES) in order to discharge storm water into public waterways such as creeks, rivers, channels and bays. The applicant will comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board. Prior to approval of the final map, the developer must demonstrate compliance with the NPDES permit requirements. Installation of an in-ground storm water treatment device may be required in order to fully comply.

**Geologic Hazards:** A portion of the project site is within an area of potential liquefaction on the official Seismic Hazard Zones, Niles Quadrangle map, released by the State Geologist on October 19, 2004. In accordance with the Seismic Hazard Mapping Act, the project geotechnical engineer prepared a seismic hazard report. The report was reviewed and approved by the City and filed with the State Geologist. The subdivision improvements and building construction will conform to the recommendations of the seismic hazard report.

**ENVIRONMENTAL ANALYSIS:** An Initial Study and Negative Declaration were prepared for the General Plan Amendment and Planned District Rezoning and adopted by the City Council in December of 2003. There are no new impacts resulting from this project that were not analyzed in that environmental document. A finding is proposed that this project does not represent any new impacts not addressed in the Initial Study and Negative Declaration adopted in December of 2003.

The mitigation measures identified in the Initial Study and Negative Declaration have been included as conditions of approval for this project. A more detailed description of the potential impacts is provided within the Initial Study for the project, which is included as an enclosure. In brief, the mitigation measures relate to dust suppression measures during

construction and other potential air quality impacts, requirements should human remains or archeological resources be found, compliance with required Phase I and Phase II analyses, and required noise studies for compliance with City noise standards.

**Response from Agencies and Organizations:**

This project was submitted to the Alameda County Congestion Management Agency (ACCOMA) for review to determine if implementation of the proposal would create an impact on the regional transportation network as well as other agencies. No agencies have responded with any substantive comments on the proposed in-fill development project.

The applicant held two community meetings in 2004 to present their plans to the community and to elicit input from the neighborhood. The applicant also organized two tours of other sites that Regis had developed for the interested public, Planning Commission and City Council.

**APPLICABLE FEES:**

**Development Impact Fees:** This project will be subject to Citywide Development Impact Fees. These fees will include fees for fire protection, capital facilities and traffic impact. Residential projects/units are also subject to park facilities and park dedication in-lieu fees. These fees shall be calculated at the fee rates in effect at the time of building permit issuance. The developer will be entitled to fee credits for the square footage of commercial development removed from the site.

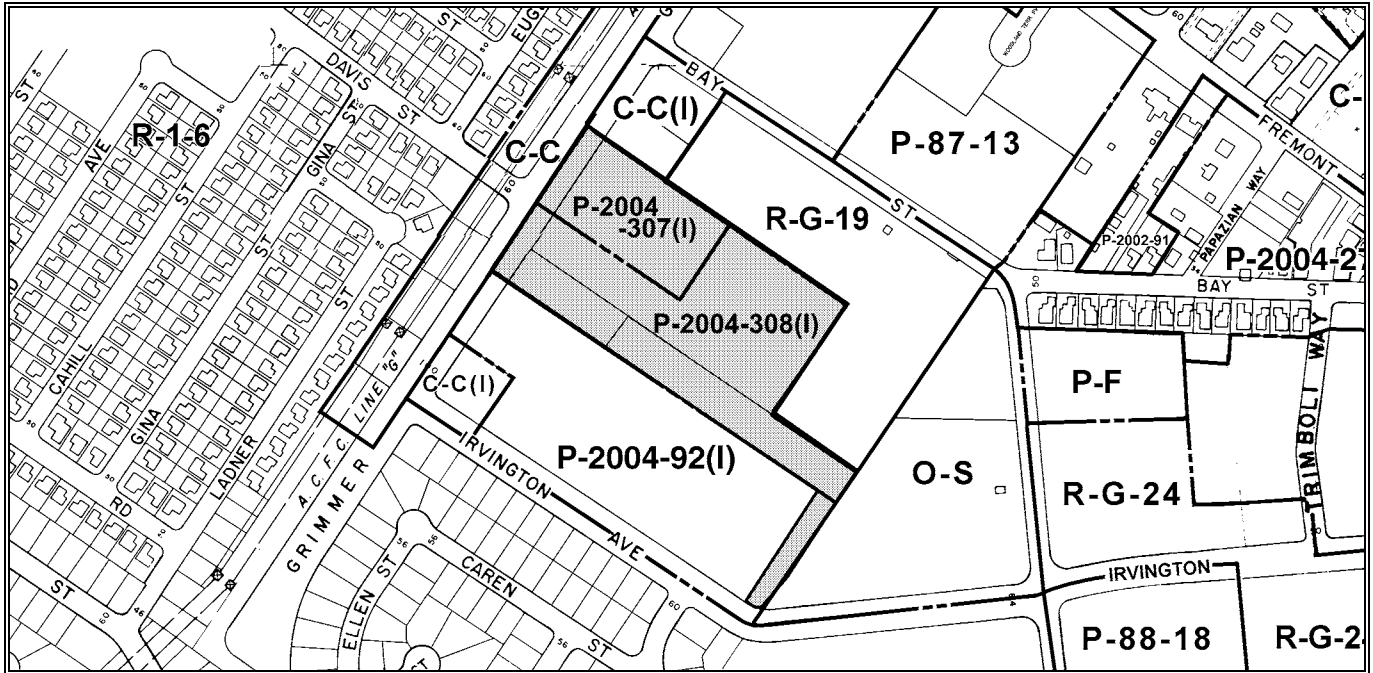
**ENCLOSURES:** Exhibit "A" (Vesting Tentative Tract Map)

**EXHIBITS:** Exhibit "A" (Vesting Tentative Tract Map)  
Exhibit "B" (Findings and Conditions for VTTM)  
Exhibit "C" (Findings and Conditions for Private Street)

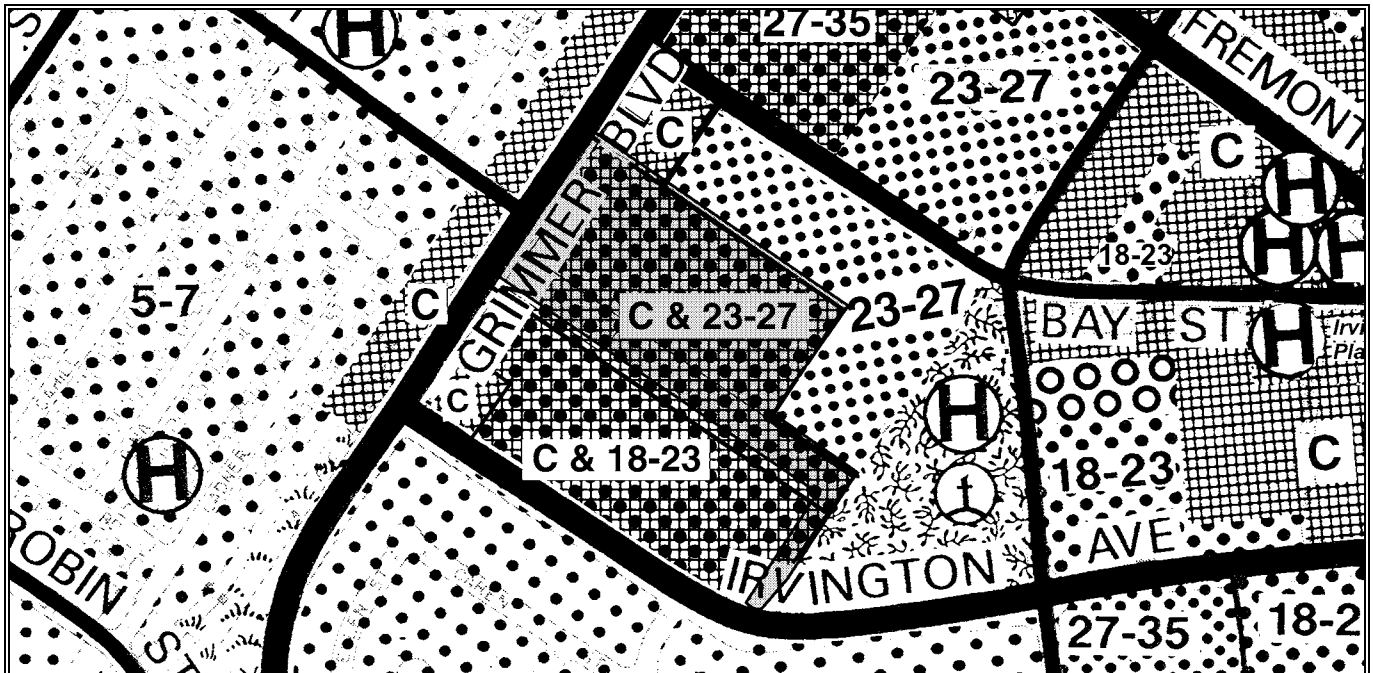
**Recommended Actions:**

1. Hold public hearing.
2. Find the previous initial study conducted for the General Plan Amendment and Rezoning has evaluated the potential impacts that could cause an adverse effect, either individually or cumulatively, on wildlife resources and find that there is no evidence the project would have any potential for adverse effect on wildlife resources.
3. Find that the previous Negative Declaration adopted for the General Plan Amendment and Rezoning considered all impacts related to the proposed project, and that no new impacts will result from this development.
4. Find that the project is in conformance with the relevant provisions contained in the City's General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Fundamental Goals, Housing and Land Use Chapters as enumerated within the staff report.
5. Approve PLN2005-00039, as shown on Exhibit "A" (Vesting Tentative Tract Map 7571 and Private Street), subject to findings and conditions in Exhibits "B" and "C."

**Existing Zoning**  
Shaded Area represents the Project Site



**Existing General Plan**



## **EXHIBIT "B"**

### **Irvington Village Vesting Tentative Tract Map 7571 (PLN2005-00039)**

#### **FINDINGS:**

The findings below are made on the basis of information presented at the public hearing and contained in the staff report to the Planning Commission and information received at the Public Hearing on January 27, 2005, incorporated herein.

1. The proposed map satisfies the requirements and conditions imposed by the Subdivision Map Act and the City of Fremont Subdivision Ordinance, because the procedural requirements of the Map Act are being followed and the proposed lots conform to the standards as stipulated in the Planned District (P-2004-307(I) and P-2004-308 zoning districts.
2. The proposed subdivision, together with the provisions of its design and improvement, is consistent with the General Plan because the proposed development conforms to and implements the Planned District (P-2004-307(I) and P-2004-308) zoning previously found to be consistent with the General Plan, as enumerated in the Planning Commission staff reports dated October 28, 2004 and January 27, 2005.
3. The site is physically suitable for the type and proposed density of the development, because it is consistent with the General Plan land use density designation of 15-18 dwelling units per acre as implemented through the zoning designations (P-2004-307(I) and P-2004-308) for the site.
4. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because this development is on an in-fill site that has already been developed and used for commercial purposes, and because of the design and location of the development and the implementation of the identified mitigation measures identified in the Initial Study and Mitigated Negative Declaration.
5. The design of the subdivision and the type of improvements are not likely to cause serious public health problems, because the review process of the subdivision has taken those concerns into consideration and has found the proposal in conformance with the City of Fremont's policies, except where deviations have been expressly permitted.
6. The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. Acquisition of any new easements will be required prior to the acceptance of the Final Map for this project.

#### **CONDITIONS:**

1. The project shall conform Exhibit "A" (Vesting Tentative Tract Map 7571 and Private Streets), all conditions of approval set forth herein, and all conditions of approval of Planned District PLN2004-00307 and PLN2004-00308.
2. Approval of this Vesting Tentative Map shall expire according to the provisions of the State Subdivision Map Act and any amendments thereto and applicable provisions of the Fremont Municipal Code consistent with the State Subdivision Map Act.
3. This Vesting Tentative Map may employ multiple phased Final Maps which shall be prepared in accordance with state and local laws. Prior to the approval of a phased Final Map creating a lot for development of a residential structure, the subdivider shall improve or agree to improve, in accordance with the Subdivision Ordinance, all streets, thoroughfares, public ways, utilities, and easements, in the subdivision and adjacent thereto as required to serve said lot.
4. The proposed street names, Westerly Drive, Bellehaven Court, Bellehaven Place, Bellehaven Lane, Greenwich Place, Darien Place, and Kingston Place, are subject to review, modification, and approval by the City prior to final map approval.

5. Existing private easements within the subdivision boundary shall be abandoned or quitclaimed prior to approval of the final map.
6. The developer shall comply with the City's Urban Runoff Clean Water Program in accordance with the NPDES requirements issued by the State's Water Quality Control Board. The applicant shall execute and record on Operations and Maintenance Agreements to implement and maintain these NPDES features.
7. The streetlight plan and joint trench plan shall be submitted by the applicant with the first subdivision plan check for the street improvement plans and final map. The final streetlight plan and joint trench plan shall be completed prior to final map approval.
8. The developer shall request P.G.&E. to commence with the design of the utility underground work for the proposed development after the Planning Commissions approval of Tentative Tract Map 7571.
9. Precise geometry and location of all driveways shall be subject to approval of the City Engineer.
10. In accordance with Section 66474.9(b) of the Subdivision Map Act, the subdivider shall defend, indemnify, and hold harmless the City of Fremont or its agents, officers, or employees from any claim, action, or proceeding against the City of Fremont or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City of Fremont, advisory agency, appeal board, or legislative body concerning a subdivision, which action is brought within the time period provided for in Section 66499.37 of the Government Code.
11. The City of Fremont shall promptly notify the applicant of any claim, action, or proceeding to attack, set aside, void, or annul, its approval and shall cooperate fully in the defense thereof.
12. All new utility service connections, including electrical and communications, shall be installed underground. Electrical transformers shall be installed in underground vaults within the public service easement.
13. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The plans will also include storm water measures for operation and maintenance of the project.
14. The developer is responsible for ensuring that all contractors and subcontractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction Best Management Practices will result in the issuance of correction notices, citations, or stop orders.
15. The developer, at time of initial sale, shall provide to the buyer information on good housekeeping of hazardous products, i.e. proper use and disposal, prohibited discharge practices, etc. Informational materials will be furnished by the City.
16. The project shall conform to the landscape conditions of approval C-1 through C-9 approved as part of the Site Plan and Architectural Approval and Planned District Major Amendments.
17. The irrevocable offer of ingress and egress for Lot A noted on the Vesting Tentative Tract Map shall conform to all provisions of the condition of approval E-16 approved as part of the Site Plan and Architectural Approval and Planned District Major Amendments.

**SUBDIVIDER PLEASE NOTE:**

The fees, dedications, reservations and/or other exactions imposed on this project are those listed in the foregoing conditions of this tentative tract map approval. The subdivider is hereby notified that the 90-day period in which the subdivider may protest these fees, dedications, reservations and other exactions pursuant to Government Code Section 66020(a) begins on the date of approval of this tentative tract map. If the subdivider fails to file a protest within this 90-day period complying with all the requirements of Government Code Section 66020, the subdivider will be legally barred from later challenging such actions.



## **EXHIBIT "C"**

### **Irvington Village Private Street (PLN2005-00039)**

#### **FINDINGS:**

The findings below are made on the basis of information presented in the public hearing and contained in the staff report to the Planning Commission dated January 27, 2005, incorporated herein.

1. The most logical development of the land requires private street access because the physical character of the project is more amenable to the less intense right of way required of a private street, due in part to the in-fill nature of the project and need for emergency vehicle access easements and a no-build easement for the adjoining property.
2. The development of the land is well defined because the design of the subdivision and proposed improvements are in conformance with the City of Fremont's applicable codes and policies, except within the width of the private street, which decreased width is justified by the in-fill nature of the project.

#### **CONDITIONS:**

1. The private streets shall conform with staff amended Exhibit "A", attached hereto and made a part hereof and all conditions of approval of Vesting Tentative Map 7571 (Exhibit "A").
2. This Private Street (PLN2005-00039) is being conditionally approved based on the accuracy of the information shown on Exhibit "A" and submitted with the Private Street application. If any of the information is shown to be inaccurate subsequent to approval of the Private Street by the City, such inaccuracy may be cause for invalidating this approval.
3. The private street names shown on Exhibit "A" are subject to modification prior to final map approval. If needed, the developer shall work with staff to provide different street names, subject to staff review and approval.
4. A Private Vehicle Access Way (PVAW) and a Public Utility Easement (PUE) are to be established over the entire private street right-of-way. The PUE dedication statement on the final map is to recite that the PUE is available for, but not limited to, the installation, access and maintenance of sanitary and storm sewers, water, electrical and communication facilities.
5. Access considerations for the on-site circulation system require space to be reserved for the movement of fire-fighting and emergency vehicles for the protection of both private property and the public. Dedication of emergency vehicle access easements (E.V.A.E.) on the final map over the private street right-of-way will be required. The easement geometry shall be subject to the approval of the City Engineer.
6. Fire hydrants are to be located along the private street as determined by the Fremont Fire Department.
7. Deed restrictions are to be recorded concurrently with the final map to create a mandatory Home Owner's Association or any other mechanism acceptable to the City for those lots with private street frontage which is to covenant and be responsible for the following:
  - a. Maintenance of the facilities in the private street which are not maintained by a public utility agency, except all utility work resulting from backfill failure is to be the responsibility of the Home Owner's Association.
  - b. Payment of the water and private street lighting (maintenance and energy) bills.
  - c. Maintenance, repair, replacement and removal of blockages in all building sewers. Maintenance of the building sewers includes repair of any trench failures and/or trench surface material failures.

- d. Maintenance and "knock-down" repair of fire hydrants and water facilities along the private street is to be done by the utility agency at the expense of the Home Owner's Association. The Home Owner's Association is to be responsible for repainting any fire hydrants along the private street.
8. Each buyer is to sign an acknowledgment that he/she has read the constitution and bylaws of the Home Owner's Association and the conditions, covenants and restrictions applying to the development.
9. Private street grading and drainage shall be done according to public street standards, subject to review and approval by the City Engineer prior to final map approval.
10. Pursuant to FMC Section 8-1522 and 8-3107, the subdivider is to improve prior to final map approval or agree to improve within one year of final map approval, the private street frontage of the map. No permanent improvement work is to commence until improvement plans and profiles have been approved by the City Engineer. Improvements are to be installed to permanent line and grade in accordance with the City's subdivision improvement standards and to the satisfaction of the City Engineer. The minimum improvements which the subdivider is normally required to construct or agree to construct prior to acceptance and approval of the final map by the City are as set forth in the City Development Policy for Private Vehicle Access ways. Improvements to be constructed include:
  - a. Curb and gutter
  - b. Driveways
  - c. Street paving
  - d. Private Street monuments
  - e. Electroliers (wired underground)
  - f. Drainage facilities
  - g. Signs
  - h. Fire hydrants
11. The private street pavement shall be designed on the basis of a traffic index using predicted traffic generation and a twenty year pavement design life. In no case shall the traffic index be less than 5.5. Asphalt concrete surfacing to be treated with a seal coat of the type and amount required by the City Engineer. Pavement design sections shall be subject to approval of the City Engineer.
12. Safety lighting is to be provided on the private street. Lights shall utilize "vandal resistant" enclosures and shall have sufficient power and spacing to provide an average maintained foot-candle level of 0.12.
13. A signpost, to which is attached a sign having an area of at least fifteen inches by twenty-one inches, is to be installed at or near the private street entrance. The name of the private street is to be placed on this sign in clearly legible four-inch letters. The sign is to have painted, in at least one-inch letters, "Private Property. Not dedicated for public use."
14. Approval of Private Street (PLN2005-00039) shall become effective upon final map approval.